

#39

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.  
642/002



Serial No.  
09/741,751

Filing Date  
December 18, 2000

Patent No.

Issue Date

Applicant/  
Patentee: **zREP, Inc.**

Invention:

**METHOD AND APPARATUS FOR SCORING AND MATCHING ATTRIBUTES  
OF A SELLER TO PROJECT OR JOB PROFILES OF A BUYER**

I hereby declare that I am:

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: **zREP, Inc.**

ADDRESS OF CONCERN: **2 Penn Plaza, Suite 1500, New York, New York 10121**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

the specification filed herewith with title as listed above.  
 the application identified above.  
 the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern or organization exists.  
 each such person, concern or organization is listed below.

FULL NAME	<hr/>		
ADDRESS	<hr/>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
FULL NAME	<hr/>		
ADDRESS	<hr/>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
FULL NAME	<hr/>		
ADDRESS	<hr/>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
FULL NAME	<hr/>		
ADDRESS	<hr/>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:	<u>Stephen Sylvester</u>
TITLE OF PERSON SIGNING	
OTHER THAN OWNER:	<u>President and CEO</u>
ADDRESS OF PERSON SIGNING:	<u>2 Penn Plaza - Suite 1500</u> <u>New York, New York 10121</u>

SIGNATURE: Stephen Sylvester DATE: 4/5/01

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MAY 07 2001

Atty. Dkt. No. 642/002

#3

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- original
- divisional
- continuation
- continuation-in-part

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

METHOD AND APPARATUS FOR SCORING AND MATCHING ATTRIBUTES  
OF A SELLER TO PROJECT OR JOB PROFILES OF A BUYER

**SPECIFICATION IDENTIFICATION**

The specification of which:

- is attached hereto
- was filed on December 18, 2000, under Serial No. 09/741,751, executed on even date herewith; or
  - Express Mail No. \_\_\_\_\_ (as Serial No. not yet known)
  - and was amended on \_\_\_\_\_ (if applicable)
- was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

- In compliance with this duty, there is attached an Information Disclosure Statement in accordance with 37 CFR §1.98.

**PRIORITY CLAIM (35 U.S.C. §119)**

I hereby claim priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America or of any United States Provisional Application(s) listed below, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one

country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

No such applications have been filed.

Such applications have been filed as follows:

**A. Prior foreign/PCT/provisional application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 U.S.C. §119**

<u>Country/PCT</u>	<u>Application No</u>	<u>Date Filed</u>	<u>Priority Claimed</u>
	60/172,353	12/16/99	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

**B. All foreign application(s), if any, filed more than 12 mos. (6 mos for design) prior to this U.S. application**

Country:

Application No:

Filing date:

**PRIOR U.S. APPLICATION(S) FOR WHICH BENEFIT  
UNDER 35 U.S.C. §120 IS CLAIMED**

<u>Serial No.</u>	<u>Filing Date</u>	<u>Status</u>		
		<u>Patented</u>	<u>Pending</u>	<u>Abandoned</u>
		<input type="checkbox"/> patented	<input type="checkbox"/> pending	<input type="checkbox"/> abandoned
		<input type="checkbox"/> patented	<input type="checkbox"/> pending	<input type="checkbox"/> abandoned
		<input type="checkbox"/> patented	<input type="checkbox"/> pending	<input type="checkbox"/> abandoned

**POWER OF ATTORNEY**

I hereby appoint the following attorneys and/or agents of Thomason, Moser & Patterson LLP to prosecute this application and transact all business in the Patent and Trademark Office having a Customer Number 26291 connected therewith.



**26291**

PATENT TRADEMARK OFFICE

**Send correspondence to:**

Thomason, Moser & Patterson, LLP  
 595 Shrewsbury Avenue  
 Suite 100  
 Shrewsbury, NJ 07702

**Direct telephone calls to:**

KIN-WAH TONG

732-530-9404

**DECLARATION**

*I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these*

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of sole or first inventor: MATTHEW GORDON NAGLER

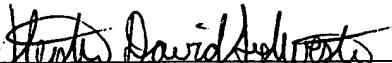
Inventor's signature:  Date: 4/13/01

Residence: 328 BRIDGE PLAZA NORTH, APT. 4I, FORT LEE, NEW JERSEY 07024

Post Office Address: Same as above

Country of Citizenship: U.S.A.

Full name of second inventor: STEPHEN DAVID SYLWESTER

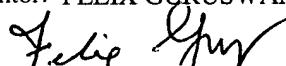
Inventor's signature:  Date: 4/15/01

Residence: 111 EAST 26th STREET, APT. B7, NEW YORK, NEW YORK 10010

Post Office Address: Same as above

Country of Citizenship: U.S.A.

Full name of third inventor: FELIX GURUSWAMY

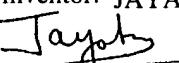
Inventor's signature:  Date: 4/30/01

Residence: 31 KING ROAD, SOMERSET, NEW JERSEY 08873

Post Office Address: Same as above

Country of Citizenship: INDIA

Full name of fourth inventor: JAYAKUMAR SRINIVASAN

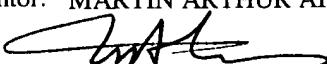
Inventor's signature:  Date: 4/20/01

Residence: 343 EAST 74th STREET, APT. 19A, NEW YORK, NEW YORK 10021

Post Office Address: Same as above

Country of Citizenship: INDIA

Full name of fifth inventor: MARTIN ARTHUR AHRENS

Inventor's signature:  Date: 4/27/01

Residence: 56 LLEWELLYN RD., MONTCLAIR, NEW JERSEY

Post Office Address: Same as above

Country of Citizenship: CANADA

Full name of sixth inventor:

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence:

Post Office Address:

Country of Citizenship: